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Library Services Improvement Act (1988-1989)

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1989

# Library Services Improvement Act (1988-1989): Report 01

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**S. 1257**

IN THE SENATE OF THE UNITED STATES

Mr. DOLE (by request) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

# A BILL

To improve the contribution of libraries to the education of economically disadvantaged or handicapped individuals, to increase access to library materials through resource sharing, to support research and assessment necessary to improve library services, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That this Act may be cited as the “Library Services  
4 Improvement Act of 1989”.

**5 STATEMENT OF PURPOSE**

6 SEC. 2. (a) The purpose of this Act is to improve the  
7 contribution of libraries to education and learning by—

1 (1) encouraging greater use of library services by  
2 economically disadvantaged or handicapped individuals;

3 (2) increasing access to library materials through  
4 support for resource sharing; and

5 (3) supporting research and assessments needed to  
6 improve library services.

7 (b) Nothing in this Act shall be construed to interfere  
8 with State and local authority and responsibility for the con-  
9 duct of library services, including the administration of librar-  
10 ies, selection of personnel and materials, and, to the extent  
11 consistent with the provisions of this Act, the determination  
12 of the best uses of funds provided under this Act.

13 DEFINITIONS

14 SEC. 3. The following definitions apply to this Act:

15 (1) The term "handicapped individual" means a  
16 person who is mentally retarded, hard of hearing, deaf,  
17 speech or language impaired, visually handicapped, se-  
18 riously emotionally disturbed, orthopedically impaired,  
19 or learning disabled.

20 (2) The term "Indian tribe" means any Indian  
21 tribe, band, nation, or other organized group or com-  
22 munity, including any Alaskan Native village or re-  
23 gional or village corporation as defined in, or estab-  
24 lished pursuant to, the Alaskan Native Claims Settle-  
25 ment Act, which is recognized by the Secretary of the  
26 Interior as eligible for the special programs and serv-

1       ices provided by the United States to Indians because  
2       of their status as Indians.

3           (3) The term "library" includes public, school,  
4       college and university, research, special, and other  
5       libraries.

6           (4) The term "library service" means the perform-  
7       ance of an activity of a library relating to the collection  
8       and organization of library materials and information,  
9       and to making these materials and information avail-  
10      able to a clientele.

11          (5) The term "network" means any cooperative  
12      arrangement among two or more administratively inde-  
13      pendent libraries for the sharing of books, materials,  
14      and services.

15          (6) The term "Secretary" means the Secretary of  
16      Education.

17          (7) The term "State" means any of the several  
18      States of the United States of America, the District of  
19      Columbia, or the Commonwealth of Puerto Rico, and,  
20      except for section 5 of this Act, American Samoa, the  
21      Commonwealth of the Northern Mariana Islands,  
22      Guam, Palau, or the Virgin Islands.

23          (8) The term "State library administrative  
24      agency" means the State agency authorized by law to

1 extend and develop public library services throughout  
2 the State.

3 AUTHORIZATION OF APPROPRIATIONS

4 SEC. 4. (a) There are authorized to be appropriated  
5 \$91,000,000 for fiscal year 1990, and such sums as may be  
6 necessary for each of the four succeeding fiscal years to carry  
7 out title I.

8 (b) There are authorized to be appropriated  
9 \$45,000,000 for fiscal year 1990, and such sums as may be  
10 necessary for each of the four succeeding fiscal years to carry  
11 out title II.

12 (c) There are authorized to be appropriated \$1,200,000  
13 for fiscal year 1990, and such sums as may be necessary for  
14 each of the four succeeding fiscal years to carry out title III.

15 ALLOTMENTS

16 SEC. 5. (a)(1) From the amount appropriated to carry  
17 out title I for each fiscal year, the Secretary shall reserve one  
18 and one-half of 1 per centum for awards to be allotted ac-  
19 cording to subparagraphs (A) and (B) of this paragraph:

20 (A) Two-thirds of the amount reserved under this  
21 paragraph shall be available for awards to Indian  
22 tribes.

23 (B) One-third of the amount reserved under this  
24 paragraph shall be available for awards to American  
25 Samoa, the Commonwealth of the Northern Mariana  
26 Islands, Guam, Palau (only to the extent authorized by

1 section 104(c) of Public Law 99-658 and until the ef-  
2 fective date of the Compact of Free Association with  
3 the Government of Palau), and the Virgin Islands, and  
4 shall be allotted among these recipients on the basis of  
5 their relative need for assistance.

6 (2) From the amount remaining after funds are reserved  
7 under paragraph (1), the Secretary shall allot for each fiscal  
8 year one-half of that remainder among the States on the basis  
9 of their relative population and one-half of that remainder  
10 among the States on the basis of their relative population  
11 below the poverty level, except that the Secretary shall allot  
12 to each State an amount equal to at least one-half of 1 per  
13 centum of that remainder.

14 (b)(1) From the amount appropriated to carry out title II  
15 for each fiscal year, the Secretary shall reserve two-thirds for  
16 State programs under part A of title II and one-third for  
17 grants under part B of title II.

18 (2) From the amount reserved for State programs under  
19 part A of title II for each fiscal year, the Secretary shall  
20 reserve one and one-half of 1 per centum for awards to be  
21 allotted according to subparagraphs (A) and (B) of this para-  
22 graph:

23 (A) Two-thirds of the amount reserved under this  
24 paragraph shall be available for awards to Indian  
25 tribes.

1 (B) One-third of the amount reserved under this  
2 paragraph shall be available for awards to American  
3 Samoa, the Commonwealth of the Northern Mariana  
4 Islands, Guam, Palau (only to the extent authorized by  
5 section 104(c) of Public Law 99-658 and until the ef-  
6 fective date of the Compact of Free Association with  
7 the Government of Palau), and the Virgin Islands, and  
8 shall be allotted among these recipients on the basis of  
9 their relative need for assistance.

10 (3) From the amount remaining after funds are reserved  
11 under paragraph (2), the Secretary shall allot for each fiscal  
12 year an amount to each State which bears the same ratio to  
13 that remainder as the population of the State bears to the  
14 population of all of the States, except that the Secretary shall  
15 allot to each State an amount equal to at least one-half of 1  
16 per centum of that remainder.

17 (c) The Secretary may reallocate all or a portion of a  
18 State's allotment for any fiscal year if the State does not  
19 submit an application to carry out a program under title I or  
20 title II, or the Secretary determines that the State does not  
21 need or cannot use the full amount of its allotment for that  
22 fiscal year. The Secretary may fix one or more dates during a  
23 fiscal year upon which to make reallocations.

24 (d) The population of a State, and the population below  
25 the poverty level of a State, and of all of the States, shall be

1 determined by the Secretary on the basis of the most recent  
2 satisfactory data available to the Secretary.

3 STATE APPLICATIONS

4 SEC. 6. (a) Any State desiring to receive its allotment  
5 under title I or title II of this Act shall submit an application  
6 at such time, in such manner, and containing such informa-  
7 tion, as the Secretary may require. The State application  
8 shall cover a period of up to five fiscal years, and shall in-  
9 clude descriptions of—

10 (1) the goals, expressed in measurable terms, that  
11 the State seeks to achieve with its allotment under  
12 title I, title II, or both titles;

13 (2) the means by which the State plans to achieve  
14 those goals; and

15 (3) the evaluation methods the State will use to  
16 determine whether those goals have been met.

17 (b) Each State application shall contain such assurances  
18 as the Secretary determines are necessary to carry out the  
19 purposes of this Act, including assurances that—

20 (1) the State will inform interested parties or po-  
21 tential participants of (A) the availability of funds, (B)  
22 the State's priority geographic areas, and (C) the  
23 State's procedures for selecting projects to be support-  
24 ed with funds under title I, title II, or both titles;

25 (2) the State library administrative agency will  
26 act as administrative and fiscal agent for the programs



1 under this Act, and will implement such fiscal control  
2 and accounting procedures as may be necessary to  
3 ensure the proper disbursement of, and accounting for,  
4 Federal funds paid to the State under this Act; and

5 (3) the State will discontinue support under this  
6 Act after completion of the first two years of a project  
7 if the project does not accomplish, or does not give  
8 reasonable promise of accomplishing, the results for  
9 which Federal assistance was provided.

10 GRANTS TO INDIAN TRIBES

11 SEC. 7. From the funds reserved under sections  
12 5(a)(1)(A) and 5(b)(2)(A), the Secretary shall make grants to  
13 eligible Indian tribes to improve library services. Any Indian  
14 tribe desiring to receive a grant shall submit an application at  
15 such time, in such manner, and containing such information,  
16 as the Secretary may require.

17 TITLE I—LIBRARY SERVICES TO  
18 DISADVANTAGED AMERICANS

19 PROGRAM AUTHORITY

20 SEC. 101. From the funds allotted in accordance with  
21 section 5(a) of this Act, the Secretary shall make grants to  
22 States to carry out projects or activities that provide new  
23 library services, or expanded existing library services, to eco-  
24 nomically disadvantaged or handicapped individuals in order  
25 to enhance their educational opportunities, or to facilitate  
26 their greater use of library services.

1 (b) A State library administrative agency may support  
 2 projects either directly or through subgrants to, or contracts  
 3 with, public or private agencies, organizations, or institu-  
 4 tions, and Indian tribes. These projects may include joint  
 5 projects among libraries and other types of institutions, such  
 6 as schools.

#### 7 AUTHORIZED ACTIVITIES

8 SEC. 102. States may use funds allotted under this title  
 9 to support library projects or activities such as—

- 10 (1) adult basic education;
- 11 (2) literacy training;
- 12 (3) the development of library collections in rural  
 13 areas;
- 14 (4) English instruction;
- 15 (5) information and referral centers;
- 16 (6) summer reading programs for school children;
- 17 (7) after-school homework programs;
- 18 (8) services to persons in correctional institutions;
- 19 (9) specialized training of library personnel to im-  
 20 plement activities related to the purposes of this title;
- 21 (10) the purchase and distribution of large-print  
 22 books and other special materials for handicapped  
 23 individuals;
- 24 (11) services to persons in nursing homes or hos-  
 25 pitals; and

1           (12) the acquisition of equipment or minor struc-  
2       tural changes that make libraries more usable for  
3       handicapped individuals.

4                               USE OF FUNDS

5       SEC. 103. (a) A State shall use funds allotted under this  
6       title only for the support of new, or the expansion of existing,  
7       projects or activities.

8       (b) A State may not use funds allotted under this title—

9           (1) to support a new, or expand an existing,  
10       project or activity for a period of more than five years;

11          (2) for acquisition, expansion, or construction of  
12       buildings, other than minor remodeling needed to im-  
13       prove access to libraries and library services for handi-  
14       capped individuals; and

15          (3) to pay the costs of the State library adminis-  
16       trative agency in administering the State's program  
17       under this title.

18                   TITLE II—LIBRARY RESOURCE SHARING

19                               PART A—STATE GRANTS

20                                       PROGRAM AUTHORITY

21       SEC. 201. (a) From the funds allotted for this part in  
22       accordance with section 5(b) of this Act, the Secretary shall  
23       make grants to States to develop new interstate and intra-  
24       state library networks and to pay for the expansion of exist-  
25       ing networks.

1 (b) The State library administrative agency may support  
2 projects either directly or through subgrants to, or contracts  
3 with, public or private organizations, agencies, or institu-  
4 tions, and Indian tribes.

5 USE OF FUNDS

6 SEC. 202. (a) A State may not use funds under this part  
7 to support a new, or pay for the expansion of an existing,  
8 intrastate library network for a period of more than five  
9 years.

10 (b) A State may not use funds under this part to pay the  
11 costs of the State library administrative agency in administer-  
12 ing the State's program under this part, except that a State  
13 may expend up to five percent of its grant for any fiscal year  
14 for the planning of interstate library networks.

15 PART B—DISCRETIONARY AWARDS

16 PROGRAM AUTHORITY

17 SEC. 211. From the funds reserved for this part in ac-  
18 cordance with section 5(b)(1) of this Act, the Secretary shall,  
19 through grants to, or cooperative agreements or contracts  
20 with, public or private organizations, agencies, or institu-  
21 tions, and Indian tribes, develop new, or pay for the expan-  
22 sion of existing, interstate library networks.

23 PART C—GENERAL PROVISIONS

24 AUTHORIZED ACTIVITIES

25 SEC. 221. Funds awarded under part A or B of this title  
26 may be used for projects or activities such as—

1           (1) specialized training of library personnel to op-  
2       erate library networks;

3           (2) acquisition and maintenance of computer hard-  
4       ware, software, and communications lines;

5           (3) cataloging of materials into electronic data  
6       bases;

7           (4) restoration of rare books, if such preservation  
8       is for the purpose of sharing a national resource;

9           (5) purchase of materials to complete significant  
10      collections, if such purchase would create a regional or  
11      national resource in a particular subject; and

12          (6) support of other activities that would lead to  
13      the sharing of books, materials, and services among  
14      libraries.

### 15           TITLE III—LIBRARY RESEARCH AND 16                           ASSESSMENT

#### 17                           PROGRAM AUTHORITY

18       SEC. 301. From the funds appropriated for this title, the  
19      Secretary shall, either directly or through grants to, or con-  
20      tracts or cooperative agreements with, public or private orga-  
21      nizations, agencies, or institutions, and Indian tribes, support  
22      library research and assessment projects and activities  
23      needed to improve library services.

#### 24                           AUTHORIZED ACTIVITIES

25       SEC. 302. (a) Funds made available under this title shall  
26      be used to support—

1 (1) library research and development, including  
2 field-initiated research; and

3 (2) evaluation of Federal library programs sup-  
4 ported under this Act as well as assessment of libraries  
5 and library conditions, including the regular collection  
6 and reporting of data on the condition of the Nation's  
7 libraries and library services.

8 (b) Funds made available under this title may be used  
9 for projects or activities such as—

10 (1) investigation of effective ways to apply new  
11 technologies to the provision of library services;

12 (2) investigation of ways to improve the use of li-  
13 brary services by economically disadvantaged or handi-  
14 capped individuals;

15 (3) investigation of methods to increase resource  
16 sharing and make library services more efficient;

17 (4) assessment of users' needs; and

18 (5) assessment of the effectiveness and efficiency  
19 of library services.

## 20 TITLE IV—REPEALS AND EFFECTIVE DATE

### 21 REPEALS

22 SEC. 401. (a) The Library Services and Construction  
23 Act (20 U.S.C. 351 et seq.) is repealed.

24 (b) The Higher Education Act of 1965 (20 U.S.C. 1001  
25 et seq.) is amended—

1 (1) by repealing title II; and

2 (2) in section 356(b)(2), by striking out "II,".

3 (c) Section 1331 of the Higher Education Amendments  
4 of 1986 (20 U.S.C. 1029 note) is repealed.

5 EFFECTIVE DATE

6 SEC. 402. This Act shall take effect on October 1,  
7 1989.

○